

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE  
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office FEB 6 1984

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_ Map filed FEB 6 1984

The applicant Cecil R. and May D. Martin

P. O. Box 501 of Winnemucca  
Street and No. or P.O. Box No. City or Town

Nevada 89445 hereby make S application for permission to change the  
State and Zip Code No.

Place of use of a portion  
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit No. 31047  
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

1. The source of water is Rose Creek  
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 1.5  
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for Irrigation & Domestic  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for Irrigation & Domestic  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point NW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 2, T.34N., R.36E.,  
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.

M.D.B.&M. or at a point from which the N.E. corner of said Section 2 bears  
N. 21<sup>0</sup> 15' E. a distance of 3590.00 feet.

6. The existing permitted point of diversion is located within Same as proposed  
If point of diversion is not changed, do not answer.

7. Proposed place of use NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 24, NE $\frac{1}{4}$ SE $\frac{1}{4}$  Section  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

23 all in T.35 N., R. 36 E., M.D.B.&M.

8. Existing place of use S $\frac{1}{2}$  Sec. 24, Portions of S $\frac{1}{2}$  and SE $\frac{1}{4}$  NE $\frac{1}{4}$ , Sec. 23, T. 35 N.,  
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or

R. 36 E., portions of NW $\frac{1}{4}$ , NW $\frac{1}{4}$  NE $\frac{1}{4}$ , Sec. 19, portions of SW $\frac{1}{4}$  and SW $\frac{1}{4}$  SE $\frac{1}{4}$  Sec.  
manner of use of irrigation permit, describe acreage to be removed from irrigation.

18, all in T. 35 N, R. 37 E, M.D.B.M.

9. Use will be from January 1 to December 31 of each year.  
Month and Day Month and Day

10. Use was permitted from January 1 to December 31 of each year.  
Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Rock Dam & steel pipe line.  
State manner in which water is to be diverted, i.e. diversion structure, ditches,

pipes and flumes, or drilled well, etc.

12. Estimated cost of works \$5,000 (already in place)

13. Estimated time required to construct works complete (see proof of completion under permit #31047)

14. Estimated time required to complete the application of water to beneficial use..... 4 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

This covers the land classified by BLM as suitable for entry under the Desert Land Act. This also covers some of the same land as under Permits # 36836 and 38831. Use map filed under 28340.

By s/ Cecil D. Martin (agent)  
P.O. Box 501  
Winnemucca, Nevada 89445

Compared br/js pr/bc

Protested

### APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place of use of the waters of Rose Creek as heretofore granted under Permit 31047 is issued subject to the terms and conditions imposed in said Permit 31047 and with the understanding that no other rights on the source will be affected by the change proposed herein. A substantial headgate and measuring device must be installed and maintained to facilitate the measurement and control of water. The State reserves the right to regulate the use of the water under this proposed change at any and all times.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.5 cubic feet per second, but not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before September 17, 1985

Proof of completion of work shall be filed before October 17, 1985

Application of water to beneficial use shall be made on or before September 17, 1989

Proof of the application of water to beneficial use shall be filed on or before October 17, 1989

Map in support of proof of beneficial use shall be filed on or before October 17, 1989

Completion of work filed OCT 24 1984

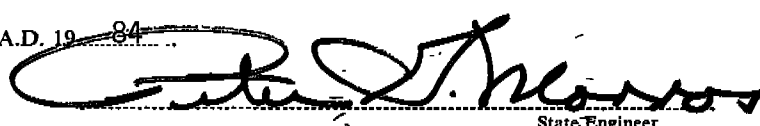
Proof of beneficial use filed NOV 27 2000

Cultural map filed NOV 27 2000

Certificate No. 15835 Issued AUG 29 2001

IN TESTIMONY WHEREOF, I, PETER G. MORROS,  
 State Engineer of Nevada, have hereunto set my hand and the seal of  
 my office, this 9th day of October

A.D. 19 84

  
 State Engineer